

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Cuba Road, 497' S of the
c/l of Miller Road
(14240 Cuba Road)
8th Election District
3rd Councilmanic District

Paul E. Leuba, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-80-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 14240 Cuba Road, located in the vicinity of Shawan Road in Hunt Valley. The Petition was filed by the owners of the property, Paul E. and Patricia A. Leuba. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1963 Regulations) to permit a side yard setback of 4 feet in lieu of the minimum required 20 feet for a proposed garage addition to the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore,

ORDER RECEIVED FOR FILING

Date

By

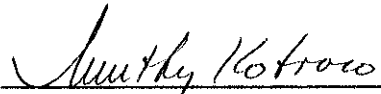
MICROFILMED

strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of September, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1963 Regulations) to permit a side yard setback of 4 feet in lieu of the minimum required 20 feet for a proposed garage addition to the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 17, 1996

Mr. & Mrs. Paul E. Leuba
14240 Cuba Road
Hunt Valley, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Cuba Road, 497' S of the c/l of Miller Road
(14240 Cuba Road)
9th Election District - 3rd Councilmanic District
Paul E. Leuba, et ux - Petitioners
Case No. 97-80-A

Dear Mr. & Mrs. Leuba:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 14240 Cuba Road
address
97-80-A Hunt Valley MD 21030-1214
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty)

A variance is requested in the building setback provisions of the zoning regulations to permit construction of a two car garage on the north side of this property adjacent to the side entrance of an existing dwelling, and at the end of an existing paved driveway. The garage can not be located at the rear of the dwelling because of interference with the sewer line and septic tank. The garage can not be located on the south side of the existing building because the steep slope on the south side of the property prevents vehicular access.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Paul E. Leuba
(signature)
Paul E. Leuba
(type or print name)



Patricia A. Leuba
(signature)
Patricia A. Leuba
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of August, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Paul E. Leuba and Patricia A. Leuba

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8/13/96
date

Phyllis M. Smith
NOTARY PUBLIC

My Commission Expires: 11-18-97

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

83

ZONING DESCRIPTION FOR 14240 Cuba Road, Hunt Valley, MD 21030

Beginning at a point on the west side of Cuba Road which is 60 feet wide at the distance of 497 feet south of the center line of the nearest intersecting street Miller Road which is 60 feet wide. Being Lot #7, in the subdivision of Falls Ridge as recorded in Baltimore County Plat Book #32, Folio #56, containing .9 acres. Also known as 14240 Cuba Road, Hunt Valley, MD 21030 and located in the ^{8th} 11th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-80-A

District: _____ Date of Posting: 8/30/91
Posted for: Adm. Variance
Petitioner: Leuba
Location of property: 14240 Cobar Road
Location of Sign: Front Yard
Remarks: _____
Posted by: Wayne Plon Date of return: _____
Signature
Number of Signs: _____

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

80. No. 024756

97-80

DATE 8-15-96 ACCOUNT R001-6150

AMOUNT \$ 335.00

RECEIVED FROM: PRIMY HALL SQUARE LMTD. ~~STATE~~ AR.
4316 EBENEZER RD.

FOR: SPX EXL. (0.50) 300.00
POSTING (0.80) 35.00

SPX+
SIGN

03A91H0577MICHRC

BA C002:44PMOB-15-96

335.00
335.00

DE. SECTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

JCM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 83 Petitioner: Paul E. Leuba and Patricia A Leuba
Location: 14240 Cuba Road, Hunt Valley, MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Paul E. Leuba
ADDRESS: 14240 Cuba Rd.
Hunt Valley, MD 21030

PHONE NUMBER: (410) 584 2949 - Home
(410) 764 4200 - Work





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-80-A (Item 83)
14240 Cuba Road
W/S Cuba Road, 497' S of c/l Miller Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Paul E. Leuba and Patricia A. Leuba

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 1, 1996. The closing date (September 16, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Paul and Patricia Leuba

Reference #

Date Paid:

ZONING APPROVAL:

DATE:

(* Serial numbers must be included; either the manufacturer's # or an owner assigned #.)
***** BELOW LINE IS FOR OFFICE USE ONLY *****

ISSUANCE OF THIS LICENSE DOES NOT FREE THE LICENSEE FROM COMPLYING WITH THE GAMBLING LAWS AND ANY OTHER LAWS AND REGULATIONS

[illegible]

Signature of Applicant	Applicant's Title	Telephone Number

NAME OF APPLICANT (please type or print)

OWNER OF MACHINES' ADDRESS

ZIP CODE

OWNER OF MACHINES (please type or print)

(Where devices will be operated)

NAME OF BUSINESS OWNER OR OPERATOR (please type or print)

BUSINESS LOCATION

(Where devices will be operated)

PHONE

MAKE MONEY ORDER OR CHECK PAYABLE TO "BALTIMORE COUNTY, MARYLAND".

APPLICATION DATE

887-3616

LICENSE YEAR

TOWSON, MARYLAND 21204

COUNTY OFFICE BUILDING

DEPARTMENT OF PERMITS & LICENSES

BALTIMORE COUNTY, MARYLAND

COIN OPERATED AMUSEMENT DEVICE APPLICATION

FREE: \$150.00
each machine
per year.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 13, 1996

Mr. and Mrs. Paul E. Leuba
14240 Cuba Road
Hunt Valley, MD 21030-1214

RE: Item No.: 83
Case No.: 97-80-A
Petitioner: Paul Leuba, et ux

Dear Mr. and Mrs. Leuba:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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[Signature]
DIRECTOR

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

[Signature]
BUILDINGS ENGINEER



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 003 (CAM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep/3/96

DATE: Sep. 6, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 81 454
82
83 475
84
87
88
90

RBS:sp

BRUCE2/DEPRM/TXTSBP

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BALTIMORE COUNTY, MARYLAND
ELECTRICAL INSPECTION FEE SCHEDULE

EFFECTIVE APRIL 1, 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS \$17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

ROUGH WIRING

All switches, receptacles, and lights to be counted as outlets:

1 to 50 outlets	1 to 50 fixtures	1 to 50 fixtures
For each additional 25 outlets or fraction thereof . \$ 3.00	For each additional 25 fixtures or fraction thereof . \$ 3.00	

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service	\$44.00
Not over 200 amp. service	\$52.00
Over 200 amp. service	\$57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional
6 or more - \$17.00 per apartment, Service Additional

APPLIANCES & REMODELING - Use Rough Wiring and Fixture Schedules.
Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of \$5.00 will be made for the first unit 20 KW or less, and \$2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW	Secondary Fee
1 HP to 40 HP, KW or KVA	\$17.00 -- \$5.00
Over 40 HP to 75 HP, KW or KVA	\$17.00 -- \$5.00
Over 75 HP, KW or KVA	\$17.00 -- \$7.00

NOTE: Where above motor fees exceed \$75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over \$75.00.

NEW SERVICE - RELOCATION OR CHANGE IN SERVICE

Not over 400 amps	\$17.00
Over 400, not over 800 amps	\$25.00
Over 800 amps	\$43.00

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of \$43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES
OUTDOOR SUB-STATIONS

Not over 200 KVA	\$19.00
Over 200 to 500 KVA	\$21.00
Over 500 KVA	\$28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding \$17.00
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than \$43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) \$17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. \$17.00
Each additional 5 amp. or fraction thereof . \$ 7.00
For incandescent signs, divide total number of sockets by 4; applying rough wiring schedule for each sign, minimum fee. \$17.00
Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic, 1 to 20 HP each \$17.00
Single unit, non-automatic, Over 20 HP: apply primary motor schedule.
Automatic elevators: Add \$5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee \$17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices \$17.00
Each additional 5 \$ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW	\$17.00
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Where inspection is not on a one-time basis, Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.

Minimum fee \$17.00

Temporarily and inspections requested after the first inspection, when work was not ready, EACH \$43.00

Issuance of duplicate certificate \$ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS (\$17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of \$43.00 shall be collected.

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 03, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 82, 83, 85, 86, 88, 90,
91 AND 93.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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Printed with Soybean Ink
on Recycled Paper

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: September 6, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 81, 83, 86, 88, 90, 92 and 93

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
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EFFECTIVE APRIL 1, 1992

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FOR SIMPLE, ONE-ITEM INSPECTIONS.

14242 Cuba Road
Hunt Valley, MD
21030

August 12, 1996

Zoning Commissioner of Baltimore County
111 Chesapeake Avenue
Towson, MD 21204

Re: Petition for Administrative Variance
for the property located at 14240 Cuba Road


Dear Sir:

We are the resident owners of 14242 Cuba Road, the property located immediately adjacent to the northern boundary of 14240 Cuba Road. We have reviewed the Petition for Administrative Variance and the associated plat, submitted by our next door neighbors, Mr. And Mrs. Paul E. Leuba, 14240 Cuba Road, to request relief from the side setback provisions for the construction of a garage on the north side of their dwelling. This is to advise you that we have no objection to the issuance of the requested variance.

Sincerely Yours,



Susan Randall



William Randall

MICROFILMED

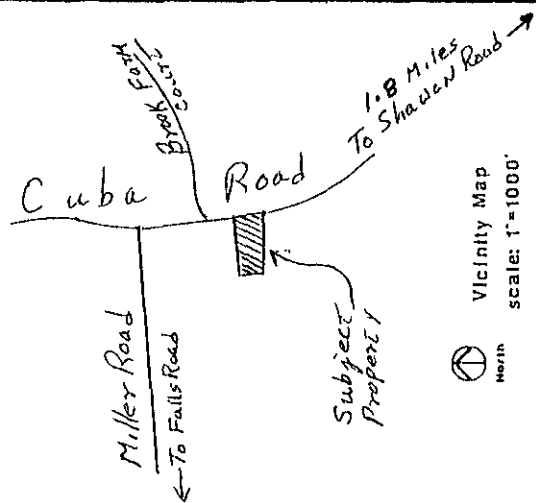
☐ Special Hearing

PROPERTY ADDRESS: 14240 Cuba Road, Hunt Valley, MD 71030

Subdivision name: Falls Ridge

plate book #	folio #	lot #	section #
074	32	56	7

OWNER: Paul E & Patricia A. Leuba



Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 8th
 Councilmanic District: 3rd
 1"=200' scale map: NW 20 E
 Zoning: RC 2
 Lot size: .90
 acreage 39,204
 square feet

public private

SEWER: ☐ ☒

WATER: ☐ ☒

yes no

Chesapeake Bay Critical Area: ☒

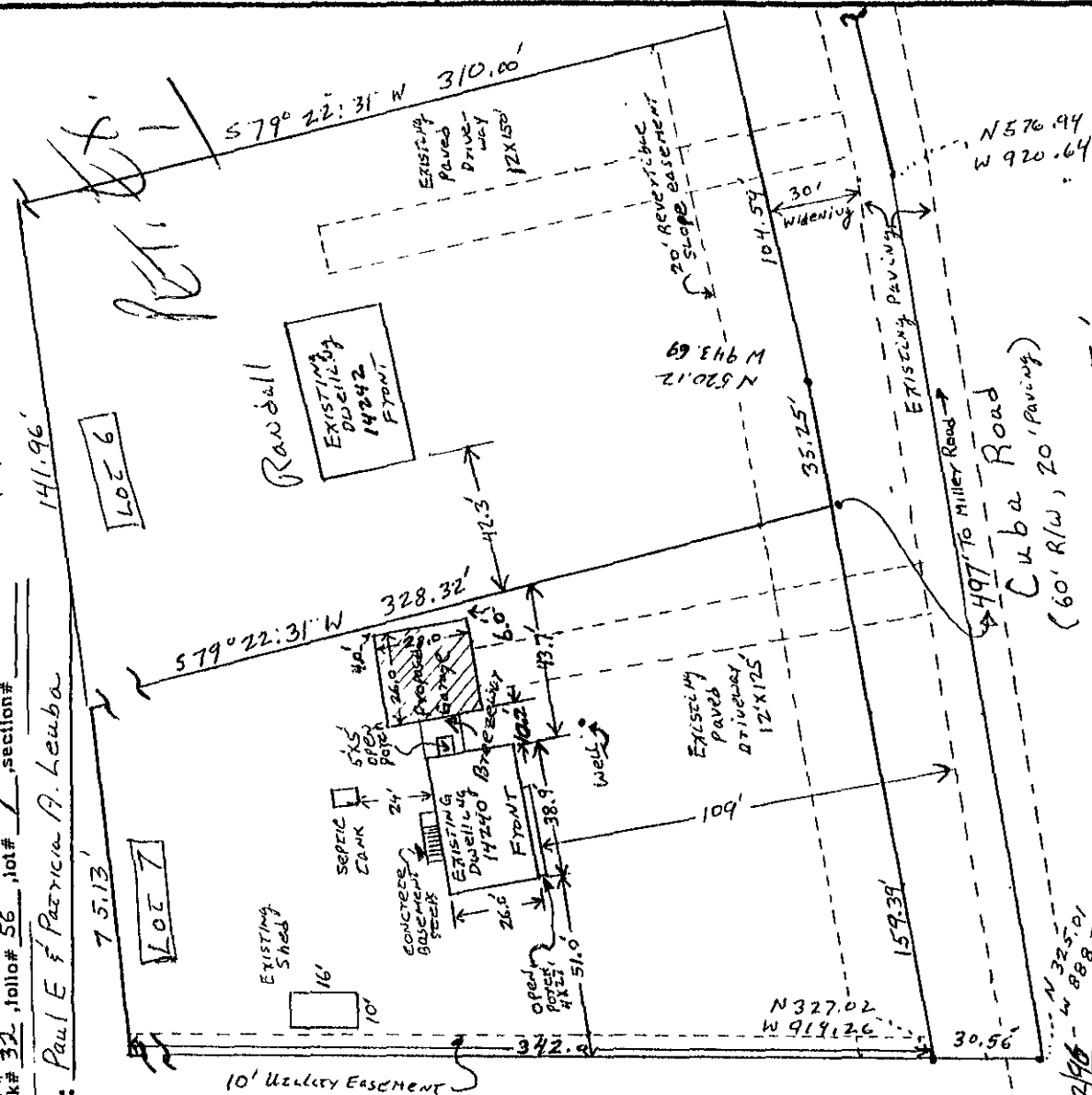
Prior Zoning Hearings: None

NOT in A Flood Plain

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:

38



Scale of Drawing: $1'' = 50'$

prepared by: Paul E. Leuba

North
date: 8/13

date: 8/12/96-

prepared by: Paul E. Leuba

W-27,000

W-27,000

R. C. 2

R. C. 4

Silos

96-425-A

CUBA

R. C. 2

97-80-A

83

MICROFILMED

WESTERN RUN-BELFAST

N B H D

MAP:
FOLIO:
CLASS:
PLANNING INFORMATION
MSR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:
ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU



MICROFILMED



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 14240 Cuba Road - Hunt Valley MD 21030
which is presently zoned RC 2

97-80-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802.3, B and 202.3 (1963 Regs) To allow a side yard
Setback of 4' in lieu of the required 20'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

A VARIANCE IS REQUESTED IN THE SETBACK PROVISIONS TO ALLOW CONSTRUCTION OF A GARAGE
ON THE NORTH SIDE OF AN EXISTING DWELLING, AT THE END OF AN EXISTING DRIVEWAY.
THE GARAGE CANNOT BE LOCATED AT THE REAR OF THE BUILDING BECAUSE OF INTERFERENCE
WITH AN EXISTING SEWER LINE AND SEPTIC TANK. THE GARAGE CANNOT BE LOCATED AT THE SOUTH
SIDE OF THE BUILDING BECAUSE THE STEEP SLOPE ON THE SOUTH SIDE PREVENTS VEHICULAR
ACCESS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Paul E. Leuba

(Type or Print Name)

Paul E. Leuba

Signature

Patricia A. Leuba

(Type or Print Name)

Patricia A. Leuba

Signature

(Paul)
W-764-4200
14240 Cuba Road H-584-2949

Address

Phone No.

Hunt Valley

MD

21030-1214

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Same as above

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY:

DATE:

ESTIMATED POSTING DATE:



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on Recycled Paper

MICROFILMED

43

ORDER RECEIVED FOR FILING

Date

By

97-80-A



SCALE
1" = 200 ±

LOCATION
GENTSVILLE

SHEET
N.W.
20-E

DATE
OF
PHOTOGRAPHY
JANUARY
1986

MICROFILMED

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Cuba Road, 497' S of the
c/l of Miller Road
(14240 Cuba Road)
9th Election District
3rd Councilmanic District
Paul E. Leuba, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-80-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 14240 Cuba Road, located in the vicinity of Shawan Road in Hunt Valley. The Petition was filed by the owners of the property, Paul E. and Patricia A. Leuba. The Petitioners seek relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1963 Regulations) to permit a side yard setback of 4 feet in lieu of the minimum required 20 feet for a proposed garage addition to the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore,

strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of September, 1996 that the Petition for Administrative Variance seeking relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.3, 1963 Regulations) to permit a side yard setback of 4 feet in lieu of the minimum required 20 feet for a proposed garage addition to the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 17, 1996

(410) 887-4386

Mr. & Mrs. Paul E. Leuba
14240 Cuba Road
Hunt Valley, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Cuba Road, 497' S of the c/l of Miller Road
(14240 Cuba Road)
9th Election District - 3rd Councilmanic District
Paul E. Leuba, et ux - Petitioners
Case No. 97-80-A

Dear Mr. & Mrs. Leuba:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 14240 Cuba Road - Hunt Valley MD 21030
which is presently zoned RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property above in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
1802.3 B and 202.3 (1963 Regs) To Allow a Side Yard Setback of 4' in lieu of the required 20'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
A variance is requested in the setback provisions to allow construction of a garage on the north side of an existing dwelling at the end of an existing driveway. The garage can not be located at the rear of the building because of interference with an existing sewer line and septic tank. The garage can not be located at the south side of the building because the steep slope of the south side prevents vehicular access.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalty of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contact Person(s) <u>Paul E. Leuba</u> Type of Print Name <u>Paul E. Leuba</u> Signature <u>Patricia A. Leuba</u> Type of Print Name <u>Patricia A. Leuba</u> Signature <u>Patricia A. Leuba</u> Type of Print Name <u>Patricia A. Leuba</u> Signature <u>Patricia A. Leuba</u>	City <u>Hunt Valley</u> State <u>MD</u> Zip Code <u>21030-1214</u>
Address <u>14240 Cuba Road</u> City <u>Hunt Valley</u> State <u>MD</u> Zip Code <u>21030-1214</u>	Phone No. <u>410-584-4200</u>
Name <u>Same as above</u>	Phone No. <u>410-584-2949</u>

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, set forth as required by the Zoning Regulations of Baltimore County, in the form of a public hearing, and that the subject matter of this petition be set for a public hearing, set forth as required by the Zoning Regulations of Baltimore County, in the form of a public hearing, and that the subject matter of this petition be set for a public hearing, set forth as required by the Zoning Regulations of Baltimore County, in the form of a public hearing.

REVIEWED BY: _____ DATE: _____
ESTIMATED POSTING DATE: _____

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ITEM #

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury in the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do not presently reside at 14240 Cuba Road

97-80-A Hunt Valley MD 21030-1214

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (you may remove or replace as desired)

A variance is requested in the building setback provisions of the zoning regulations to permit construction of a two car garage on the north side of an existing driveway to the side entrance of an existing dwelling, and at the end of an existing paved driveway. The garage can not be located at the rear of the dwelling because of interference with the sewer line and septic tank. The garage can not be located on the south side of the existing building because the steep slope on the south side of the property prevents vehicular access.

The Affiant(s) acknowledge that it is a crime in the State of Maryland to provide false information to a public official and may be punished by imprisonment or fine.

Paul E. Leuba
Paul E. Leuba
Type of Print Name
Patricia A. Leuba
Patricia A. Leuba
Type of Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 13th day of August, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Paul E. Leuba and Patricia A. Leuba

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

8/13/96

Philip M. Smith
Philip M. Smith
Notary Public

My Commission Expires: 11-18-97

ZONING DESCRIPTION FOR 14240 Cuba Road, Hunt Valley, MD 21030

Beginning at a point on the west side of Cuba Road which is 60 feet wide at the distance

of 497 feet south of the center line of the nearest intersecting street Miller Road which is

60 feet wide. Being Lot #7, in the subdivision of Falls Ridge as recorded in Baltimore

County Plat Book #32, Folio #56, containing .9 acres. Also known as 14240 Cuba Road,

Hunt Valley, MD 21030 and located in the 14th Election District, 3rd Councilmanic

District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: Adm. Variance Date of Posting: 9/5/96

Posted for: Leuba

Petitioner: Leuba

Location of property: 14240 Cuba Road

Location of Sign: Front Yard

Remarks: None

Posted by: Signature Date of return: _____

Number of Signs: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 83 Petitioner: Paul E. Leuba and Patricia A. Leuba

Location: 14240 Cuba Road, Hunt Valley, MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Paul E. Leuba

ADDRESS: 14240 Cuba Rd.

Hunt Valley, MD 21030

PHONE NUMBER: (410) 584-2949 - Home

(410) 764-4200 - Work



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-80-A (Item 83)

14240 Cuba Road
W/S Cuba Road, 497' S of c/l of Miller Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Paul E. Leuba and Patricia A. Leuba

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before September 1, 1996. The closing date (September 16, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Paul and Patricia Leuba

12

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 13, 1996

Mr. and Mrs. Paul E. Leuba
14240 Cuba Road
Hunt Valley, MD 21030-1214

RE: Item No.: 83
Case No.: 97-80-A
Petitioner: Paul Leuba, et ux

Dear Mr. and Mrs. Leuba:

The Zoning Advisory Committee (ZAC), which consists of representa-
tives from Baltimore County approval agencies, has reviewed the plans
submitted with the above referenced petition, which was accepted for
processing by Permits and Development Management (PDM), Zoning Review, on
August 19, 1996.

Any comments submitted thus far from the members of ZAC that offer or
request information on your petition are attached. These comments are not
intended to indicate the appropriateness of the zoning action requested,
but to assure that all parties (zoning commissioner, attorney, petitioner,
etc.) are made aware of plans or problems with regard to the proposed
improvements that may have a bearing on this case. Only those comments
that are informative will be forwarded to you; those that are not
informative will be placed in the permanent case file.

If you need further information or have any questions regarding these
comments, please do not hesitate to contact the commenting agency or
Roslyn Subanks in the zoning office (807-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

RE: Baltimore County
Item No. *CE3 (CAM)*

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to
approval as it does not access a State roadway and is not affected by any State
Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: *Sept 13/96*

DATE: *Sept 6, 96*

The Department of Environmental Protection & Resource Management has no
comments for the following Zoning Advisory Committee Items:

Item #'s: *81 454*
82
(83) 475
84
87
88
90

RBS:sp

BRUCEZ/DEPRM/TXTSBB

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21206-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/05/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 03, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 82, *(83)*, 85, 86, 88, 90,
91 AND 93.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 6, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 81, 83, 86, 88, 90, 92 and 93

If there should be any further questions or if this office can provide additional
information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey Long*
Division Chief: *Carol L. Keller*

PK/JL

14242 Cuba Road
Hunt Valley, MD
21030

August 12, 1996

Zoning Commissioner of Baltimore County
111 Chesapeake Avenue
Towson, MD 21204

Re: Petition for Administrative Variance
for the property located at 14240 Cuba Road

Dear Sir:

We are the resident owners of 14242 Cuba Road, the property located immediately
adjacent to the northern boundary of 14240 Cuba Road. We have reviewed the Petition for
Administrative Variance and the associated plat, submitted by our next door neighbors, Mr. And
Mrs. Paul E. Leuba, 14240 Cuba Road, to request relief from the side setback provisions for the
construction of a garage on the north side of their dwelling. This is to advise you that we have no
objection to the issuance of the requested variance.

Sincerely Yours,

Susan Randall
Susan Randall

William Randall
William Randall

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 14240 Cuba Road, Hunt Valley, MD 21030 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Falls Ridge 97-80-A

Map Book: 32, Jollop SE, lot # 7, section # 141.96

OWNER: Paul E. & Patricia A. Leuba

North arrow pointing up.

Scale of Drawing: 1" = 60'

date: 8/1/80 prepared by: Paul Leuba

LOCATION INFORMATION

Election District: 8th

Councilmanic District: 3rd

1"=200' scale map: NW 20 E

Zoning: RC 2

Lot size: .90 acreage 39,204 square feet

SEWER: ☐ WATER: ☒

Chesapeake Bay Critical Area: ☐

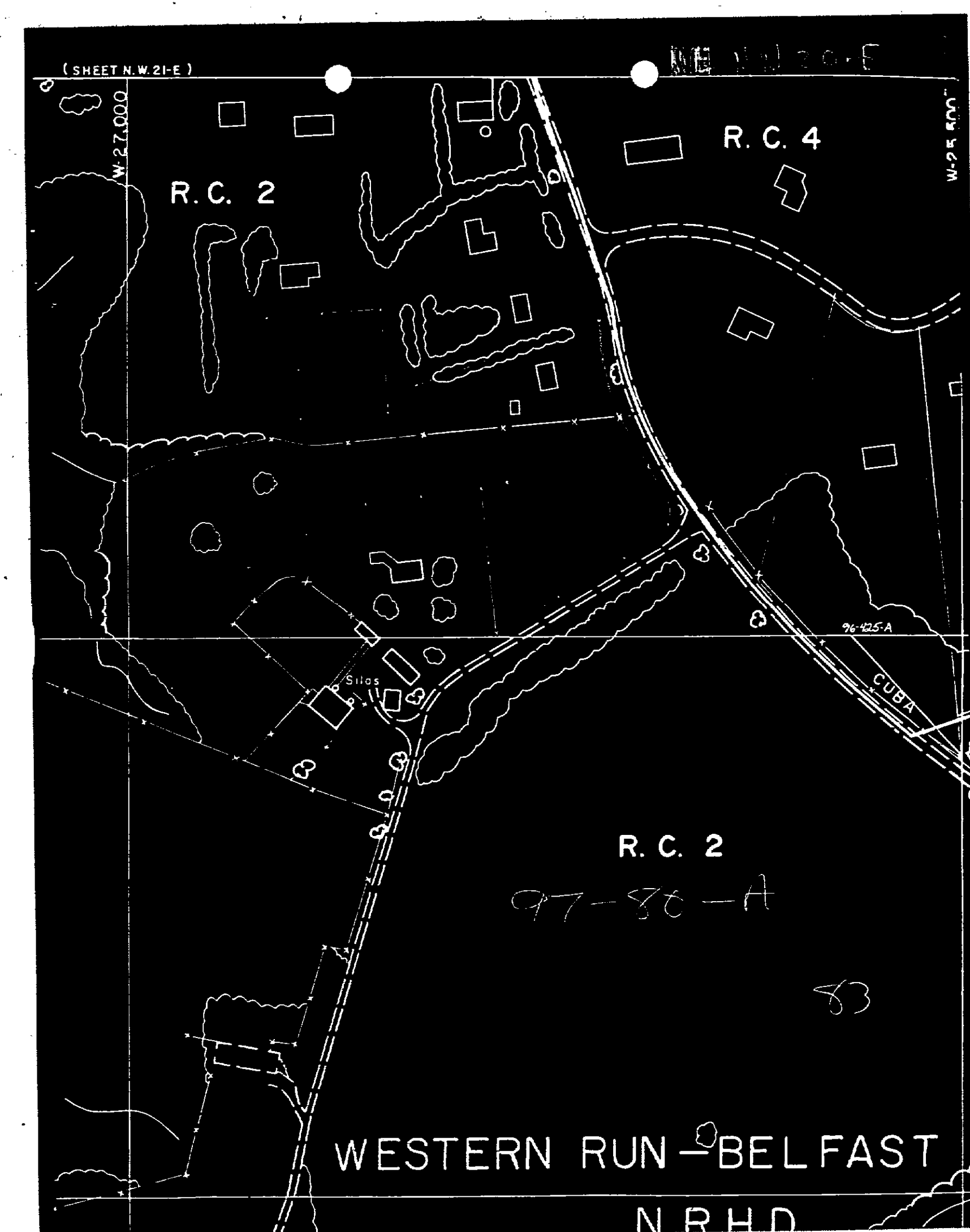
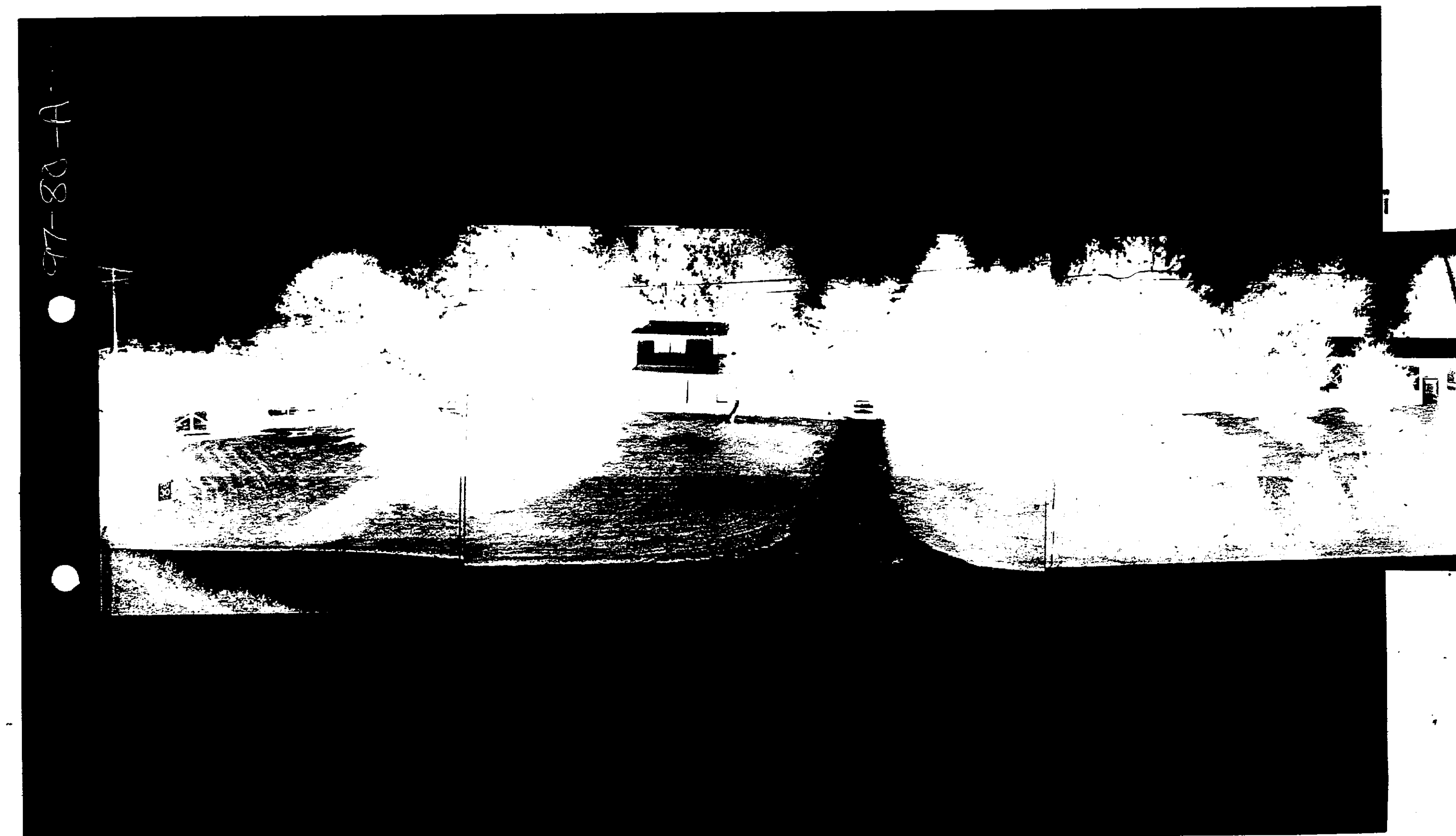
Prior Zoning Hearings: None

Not in Flood Plain

Zoning Office USE ONLY!

reviewed by: ITEM # CASE#

83



97-80-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	GENTSVILLE	N.W.
JANUARY 1986		20-E